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DIVISION OF POLICY ANALYSIS &
INTERGOVERNMENTAL LIAISON
CHARLES H. HILL
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(850) 413-6800

Public Service Commission

October 5, 2001

RECEIVED

OCT 19 2001

Ms. Carol Hanlon
U.S. Department of Energy
Yucca Mountain Site Characterization Office
M/S #025
P.O. Box 30307
North Las Vegas, NV 89036-0307

Re: Possible Site Recommendation for Yucca Mountain

Dear Ms. Hanlon:

The Florida Public Service Commission (FPSC) hereby submits the following comments on the Preliminary Site Suitability Evaluation released by the Department of Energy and noticed in the August 12, 2001, issue of the Federal Register (Vol. 66, No. 162). The FPSC approved these comments at the October 2 Internal Affairs. Kathryn Lewis, the lead contact on these comments, may be reached at (850) 413-6594.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cynthia B. Miller".

Cynthia B. Miller, Esquire
Bureau of Intergovernmental Liaison

CBM:kdI
Enclosure

cc: Harold McLean, FPSC General Counsel
Charles D. Gray, NARUC Executive Director

UNITED STATES DEPARTMENT OF ENERGY
POSSIBLE SITE RECOMMENDATION
FOR YUCCA MOUNTAIN
COMMENTS OF
THE FLORIDA PUBLIC SERVICE COMMISSION

SUMMARY

The Florida Public Service Commission (FPSC) is pleased that the Department of Energy (DOE) has completed and released the Preliminary Site Suitability Evaluation (PSSE) on the suitability of Yucca Mountain as a geologic repository for high level nuclear waste, in accordance with the Nuclear Waste Policy Act of 1982, as amended. In our view, the detailed scientific and peer-reviewed studies contained in the PSSE demonstrate, in a sound scientific manner, that the site can be recommended to the President with confidence. The FPSC urges the Secretary of Energy (the Secretary) to make his recommendation to the President on the suitability of Yucca Mountain as soon as possible after he is satisfied that all of the steps required by the Nuclear Waste Policy Act (NWPA) have been completed.

DISCUSSION

Scientific studies of Yucca Mountain's geology, hydrology, biology, and climate have been extensive and ongoing for almost 20 years. According to published reports from the Energy Department and its teams of scientists from the national laboratories and the U.S. Geological Survey, there is no evidence to disqualify Yucca Mountain as a site for a permanent repository. The research has been continually reviewed by regulatory, advisory and scientific peer groups such as the Nuclear Regulatory Commission (NRC), the Nuclear Waste Technical Review Board, the Advisory Committee on Nuclear Waste, and the U.S. Geological Survey. We are confident that the scientific studies which have been completed are more than adequate for the Secretary to use as a basis for his recommendation to the President with regard to the

suitability of Yucca Mountain.

This matter is of great importance to the citizens of Florida. Approximately 16% of our State's energy supply is generated by nuclear power plants. All five of the nuclear reactors in Florida currently store their spent nuclear fuel in spent fuel pools on site. However, these spent fuel pools are quickly reaching full storage capacity. For example, the spent fuel storage pool at St. Lucie Unit 1 will reach capacity in 2005. The other four units will all reach full capacity within the next ten years, as indicated on the following chart.

Critical dates for Florida Nuclear Plants

Unit	Spent fuel storage capacity reached	Utility	License Expires
St. Lucie 1	2005	FPL	2016
St. Lucie 2	2007	FPL	2023
Turkey Point 3	2009	FPL	2012
Turkey Point 4	2011	FPL	2013
Crystal River	2009	FPC	2016

Since 1983, the Florida ratepayers who benefit from electricity generated at nuclear units within the state have paid over \$571 million into the Nuclear Waste Fund (NWF). Nationwide, ratepayers have paid in excess of \$18 billion (including interest) into the NWF. In return, the DOE was to begin removal and disposal of spent nuclear fuel no later than January 1998, in accordance with both the Nuclear Waste Policy Act of 1982 (NWPA) and the contracts for waste disposal that the DOE holds with individual utility companies. The ratepayers deserve to have these funds used for the purposes for which they were collected under the NWPA, removal of spent nuclear fuel from plant sites and permanent disposal by DOE.

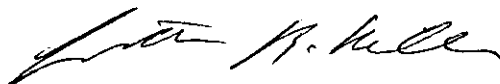
Continued delays in the removal of spent nuclear fuel from plant sites could result in the expenditure of hundreds of millions of dollars to construct and maintain additional on-site

storage at reactor sites across the country (dry-cask storage). In addition, keeping high-level nuclear waste at reactor sites prevents economic reuse of the property. Also, continued delays in repository development may cause utilities not to seek renewal of their operating licenses and could cause some units to shutdown earlier than scheduled. Early shutdown of nuclear units would necessitate replacing existing nuclear generation with some other source of generation which could be more costly to ratepayers.

CONCLUSION

The PSSE and related documents appear to provide ample legal, scientific and technical support for a fully informed recommendation. If the Secretary determines that the scientific analysis indicates that the Yucca Mountain site is likely to meet the applicable radiation protection standards established by the EPA and the NRC, we believe he should recommend the site to the President. Furthermore, we believe the Secretary should make his recommendation to the President as soon as possible, so that our country's Nuclear Waste Disposal Program can progress as envisioned by Congress when the NWPA was amended in 1987.

Respectfully submitted,



Cynthia B. Miller, Esquire
Bureau of Intergovernmental Liaison

FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Dated: October 5, 2001